IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 5767 of 2004

Between:

S. Babu Rao, S/o S. Someswara a Rao, aged about 63 years,
R/o 55, Vedabhavan Road, Chandragiri Colony (W), Opp: Krupa Complex, R.K. Puram,Safilguda, Secunderabad-56.

..... PETITIONER

AND

1 The Accountant General (A&E), Saifabad, Hyderabad, A.P.
2 The Joint Director, Pension Payment Office, M.J. Road, Hyderabad.
3 The Dy. Director General, NCC A.P. General Chauduri Road, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, hold that the action of the Respondents in imposing interest on the amount wrongly disbursed to the Petitioner which was already subjected to recovery on monthly installment of Rs. 1,000/- vide Proceedings No. NCC/AP/709/995/B2/2001, dated 13-12-2001 is illegal, arbitrary and violative of the law and to call for the records and set aside the proceedings No. NCC/AP/709/995/B2/2001, dated 13-12-2001 and consequently direct the Respondents to restore the total pension of the applicant without effecting any recovery to the extent of penal interest

Counsel for the Petitioner:MR.R.YOGENDER SINGH

Counsel for the Respondent No.1: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent Nos.2&3: G.P.for Finance & Planning

The Court made the following :

ORDER:

The learned Counsel for the petitioner has made a request before this Court for withdrawing the writ petition. Accordingly, this Writ Petition is dismissed as withdrawn. No costs.

Jsu/Stp 14-07-2004

To

1 The Accountant General (A&E), Saifabad, Hyderabad, A.P.
2 The Joint Director, Pension Payment Office, M.J. Road, Hyderabad.
3 The Dy. Director General, NCC A.P. General Chauduri Road, Secunderabad.

4 2 CCs to the G.P.for Finance & Planning, High Court Buildings, Hyderabd (OUT)

5. 2 CD copies.